

Region 9 Enforcement Division 75 Hawthorne Street San Francisco, CA 94105

Inspection Date(s):	9/29/2015	9/29/2015						
Time:	Entry: 10:00 ar	m	Exit: 12:00pm					
Media:	Water							
Regulatory Program(s)	Clean Water Act NPDES /CAFO Dairy							
Company Name:	Legend Dairy Farms #2							
Facility or Site Name:								
Facility/Site Physical Location:	9811 Edison Avenue, Ontario							
Geographic Coordinates:								
Mailing address:	P.O. Box 2500, Chino, CA, 91708							
Facility/Site Contact:	Ron Peitersma Phone:		Title: Operator					
-			Email:					
Facility/Site Identifier:	NPDES CAG018001 / Order R8-2013-0001, General waste discharge requirements for CAFOs (dairies and related facilities)							
NAICS:	112120 Dairy Cattle and Milk Production							
SIC:	0241 Dairy Farms							
Facility/Site Personnel Participa	ting in Inspectio	n:						
Name	Affiliation	Title	Email					
Ron Peitersma	Legend Dairy	Operator						
EPA Inspector(s):								
John Tinger	EPA	Engineer	Tinger.John@EPA.gov					
Federal/State/Tribal/Local Repr	esentatives:							
Edward Kashak	WRCB-R8	Engineering Geologist	ekashak@waterboards.ca.gov					
Jawed Shami	WRCB-R8	Engineer	jshmi@waterboards.ca.gov					
Inspection Report Author:	John Tinger		415 972-3518					
	JL	Tiga	Date: 1/11/16					
Supervisor Review:								
	Ken Greenberg	5	415-972-3577					
	/ s/		Date: 1/11/16					

SECTION I – INTRODUCTION

I.1 Purpose of the Inspection

The purpose of the inspection was to ensure compliance with the NPDES permit and applicable Federal regulations covering the discharge of wastewaters into waters of the United States.

Inspections were conducted jointly with the Regional Water Quality Control Board.

The facility has obtained coverage under NPDES CAG018001 / Order R8-2013-0001, General waste discharge requirements for CAFOs (dairies and related facilities) within the Santa Ana Region.

SECTION II – FACILITY / SITE DESCRIPTION

II.1 Facility Description

According to the EWMP, the facility comprises 79 acres, with 15 acres of corrals and 22 acres of pasture. The facility generates 40,000 gallons per day of washwater.

The facility has 16 ponds located on the eastern side of the dairy. (see photo 1) Washwater from the milk barn areas gravity flows to the northern ponds (photo 6), and washwater either gravity flows or is pumped to the ponds in series towards the spillway located at the southern end of the facility.

The western fields are currently used for crops where manure is land-applied. The land is leased to a local farmer who farms the area then returns all crops to be used as feedstock for the dairy. The farmer has prepared a NMP, but the operator explained that since the land is leased, the NMP is not part of the dairy operation and the NMP is not retained on site.

Stormwater flows in a southern direction. Stormwater from the corrals either flows to the northernmost ponds, or flows to the southern fields which are used a pasture land (photo 11). Operator stated that the pasture may be converted to croplands in future.

II.2 Compliance History

EPA issued Findings of Violation and Order for Compliance (CWA-309(a)-11-027) on September 22, 2011 based on compliance inspection conducted December 9, 2010. The inspectors' observations included:

- The EWMP was not fully implemented
- Containment structures were not adequately maintained
- Impoundments lacked depth markers
- Vegetation growth was uncontrolled in lagoon.

SECTION III – OBSERVATIONS

 Several ponds appeared to have excess solids with accumulation more than 2 feet deep. However, the pond network appeared to have sufficient storage capacity based on EWMP design, which includes a total of 16 ponds, many in series, and most of which did not have excess solids. The operator indicated the ponds will likely be scheduled for cleaning next year.

SECTION IV - AREAS OF CONCERN

The presentation of areas of concern does not constitute a formal compliance determination or violation.

No areas of concern were observed.

SECTION V - DOCUMENTS REQUESTED DURING INSPECTION AND ANALYTICAL RESULTS

- ✓ Engineered Waste Management Plan was available on-site
- ✓ Weekly Storm Water Management Structure Inspections Log Sheets were available on-site
- ✓ Annual Report was available on-site
- ✓ Manure Tracking Manifests were available on-site
- ✓ Manure nutrient analysis was available on-site

NA Nutrient Management Plan NOT required.

APPENDICES

Appendix 1 – Inspection checklist

Appendix 2 - Photograph Log

Appendix 1- INSPECTION CHECKLIST

SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD INSPECTION REPORT

OFFICE NO:							
INSPECTOR:		PCA SYSTEM TASK NO.:					
	Ron Peitersma, Operator	Legend Dairy Farms # 2					
WDID No.	OWNER NAME	FACILITY NAME					
CAG018001	P.O. Box 2500	9811 Edison Avenue					
NPDES No. OWNER ADDRESS		FACILITY ADDRESS					
	Chino, CA, 91708	Ontario CA					
Site ID	OWNER CITY, STATE & ZIP	FACILITY CITY, STATE & ZIP					
9/29/15							
Actual Date	OWNER CONTACT	FACILITY CONTACT					
Inspected							
	OWNER PHONE NO.	FACILITY PHONE NO.					
<u>J</u> Inspect	ion Agency (S=STATE, J=JOINT STATE/USEP	A)					
	INSPECTION TYPE (Che	ck One)					
A1 "A" type complianceComprehensive inspection in which samples are taken. (EPA Type S) B1_X "B" type complianceA routine nonsampling inspection. (EPA Type C) O2 Noncompliance follow-upInspection made to verify correction of a previously identified violation. O3 Enforcement follow-upInspection made to verify that conditions of an enforcement action are							
	peing met. 04						
O5 Pre-requirementInspection made to gather info. relative to preparing, modifying, or rescinding requirements.							
MiscellaneousAny inspection type not mentioned above. If this is an EPA inspection not mentioned above please note type. (e.g. biomonitoring, performance audit, diagnostic, etc.)							
N Were violations noted during this inspection? (Yes/No/Pending Sample Results) N Was this a Quality Assurance-Based inspection? N Were bioassay samples taken? (N=no) If YES then, S= Static or F= Flow through. N Were water quality samples collected?							

INSPECTION SUMMARY

The overall facility rating, on a 1 (unreliable) to 5 (reliable) scale, was determined to be 4 = Satisfactory.

HISTORICAL INFORMATION (MOST RECENT):

Order No.	Adopted Date	Permit Type	Inspect Date	Inspection Type	Inspection Violations	Inspection Violation Type	Violation Date
R8-2013-0001	6-7-13	NPDES					

REVIEW OF FACILITY'S MOST RECENT ANNUAL REPORT

ANNUAL REPORT FOR: Jan 1, 2014 - Dec 31, 2014

ANIMAL POPULATION

Milk Cows: 900 Dry Cows: 0 Heifers: 200 Calves: 0 Other: 0

MANURE INFORMATION

Amount of manure spread on cropland at the facility: 0 tons Amount of manure hauled away from the facility: 4410 tons

Name(s) and address(es) of manure destination: Hauled by Three Brothers Farms to Archibald and Edison for croplands in San Bernardino County, and to Edison Ave for composting and croplands.

ENGINEERED WASTE MANAGEMENT PLAN (EWMP) REVIEW

Did the inspector review the most recent EWMP on file? Yes

Did the facility operator have a copy of the EWMP available onsite? Yes

Date EWMP originally prepared: August 2005, originally prepared for TLC Sunlight Dairy.

EWMP prepared by: Nolte Beyond Engineering.

Regional Board EWMP Acceptance Date: 8/19/2005

EWMP Certification Letter Date and Source: 3/7/2008

Was EWMP fully implemented? Yes

If not, list structures missing or deficient:

Other information related to the EWMP:

OPERATOR INSPECTION PARTICIPATION AND INPUT, AND DESCRIPTION OF WATER CONTAINMENT SYSTEM

EPA Inspector presented credentials and a short introduction meeting was held. The operator accompanied inspectors through the facility. A short close-out meeting was held to discuss preliminary findings. Operator was not provided advanced notice of inspection.

INSPECTION OBSERVATIONS

ANIMALS ONSITE DURING INSPECTION;

Milk Cows: 900 Dry Cows: 0 Heifers: 0 Calves: Longhorn: 20

INSPECTION SPECIFIC MANURE AND WASTEWATER INFORMATION:

DISCUSSION OF FACILITY HOUSEKEEPING:

No issues noted. Corrals were being scraped and stockpiles of manure were being removed at time of inspection (see photo 1-2. Operator stated corrals would be continuously scrapped until the rainy season to remove manure. Manure did not appear to have been present for more than 180 days.

TYPICAL DEPTH OF MANURE IN CORRALS: < 4"
DATE CORRALS WERE LAST SCRAPED: currently being scraped.
ESTIMATED FREEBOARD IN FULLEST LAGOON:
DATE OF LAST LAGOON SOLIDS REMOVAL, PER FACILITY REPRESENTATIVE: facility representative did not know.
DISPOSAL LOCATION FOR LAGOON SOLIDS:

CONDITION OF BERMS AND CONTAINMENT STRUCTURES:

No evidence of significant rodent damage, erosion, or excess vegetation along berms was observed. Ponds generally clear of vegetation. Several ponds appeared to have excess amount of sediment buildup.

Operator indicated that berms were severely overgrown several years ago. The operator found the most effective way to manage the vegetation was by using longhorn cattle (see photo 11). The operator keeps 20 longhorn to control vegetation along the berms and lagoons and in the pasture.

POTENTIAL VIOLATIONS (IF APPLICABLE)

No potential violations observed.

Appendix 2 – Photograph Log

The photographs were taken during the inspection by John Tinger. Original copies of the photos

Photo 1: facility overview





Photo 2: Corrals being scraped and manure being hauled off

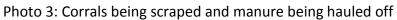




Photo 4: milk barn



Photo 5: wash areas next to milk barn



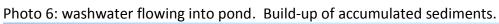




Photo 7: View of series of ponds looking south



Photo 8: Northern pond; View looking northwest.



Photo 9: Pond



Photo 10: Pond view looking north







Photo 12: Longhorns.

